



Licence

Environmental Protection Act 1986, Part V

Licensee: Shire of Dardanup

Licence: L8888/2015/1

Registered office: 1 Council Drive
EATON WA 6232

Premises address: Shire of Dardanup Transfer Station
Lot 81 Banksia Road
CROOKED BROOK WA 6232
Being part of Lot 82 on Plan 403943 as depicted in Schedule 1 and bound by the coordinates:

GPS point	Longitude	Latitude
1	115.787055	-33.420536
2	115.787057	-33.420715
3	115.786692	-33.420711
4	115.786793	-33.423069
5	115.783068	-33.422324
6	115.780960	-33.426141
7	115.789621	-33.426256
8	115.798923	-33.425658
9	115.798910	-33.420517

Issue date: Thursday, 21 May 2015

Commencement date: Monday, 25 May 2015

Expiry date: Tuesday, 24 May 2030

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
62	Solid waste depot: premises on which waste is stored, or sorted pending final disposal or reuse	500 tonnes or more per year	5 000 tonnes per annual period

Conditions

This Licence is subject to the conditions set out in the attached pages.

Date signed: 19 April 2016

.....
Caron Goodbourn
MANAGER LICENSING (WASTE INDUSTRIES)
Officer delegated under section 20
of the *Environmental Protection Act 1986*



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link: <http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.



Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

The Shire of Dardanup (the Shire) operates the Dardanup Waste Transfer Station (WTS) under Licence L8888/2015/1. The WTS accepts mainly domestic house hold wastes, such as general putrescible waste (greenwaste food scraps), white goods, hazardous waste such as car batteries, gas bottles DrumMuster products and waste oil and inert wastes such as glass, aluminium cans, and scrap metal. The WTS does not accept biomedical waste, asbestos containing material, contaminated waste, animal carcasses or commercial and industrial waste. Wastes not accepted at WTS are referred to Cleanaway Waste Management's (Cleanaway) Class III landfill site adjacent to the WTS.

All putrescible waste is relocated to Cleanaway's landfill site for disposal. Greenwaste is processed offsite through the Bunbury Harvey Regional Council Organic Processing Facility. Waste Oil is removed offsite by Wren Oil as part of a state wide used oil collection program. Used oil containers have also been separated from the general waste stream and collected for separate processing. Scrap metal and aluminium are collected by a private metal merchant for processing. Car battery's, light globes and other household items are logged in on arrival and stored in purpose built containers. The WTS operates from 08:30 – 16:00 on Monday, Wednesday, Friday, Saturday and Sunday. The site is closed on Tuesdays and Thursdays.

This Licence amendment has been initiated by the Shire to remove Category 64 from the Licence and all associated conditions and to formally assess the premises as a Category 62: solid waste depot. The main potential emissions from the premises are odour from the acceptance and storage of putrescible waste. Other potential emissions are emissions to land from accidental spills and discharges of waste oil and battery acids.

The licences and works approvals issued for the Premises are as follows:

Instrument log		
Instrument	Issued	Description
L7188/1997/2	29/03/2000	First Licence application recorded in ILS
L7188/1997/3	29/03/2001	Licence re-issue
L7188/1997/4	29/03/2002	Licence re-issue
L7188/1997/5	31/03/2003	Licence re-issue
L7188/1997/6	29/03/2004	Licence re-issue
L7188/1997/7	29/03/2005	Licence re-issue
L7188/1997/8	29/03/2008	Licence re-issue
L7188/1997/9	29/03/2011	Licence re-issue
L7188/1997/9	11/07/2011	DER initiated amendment to change the prescribed area of the licence to remove the compost facility and allow the Bunbury-Harvey Regional Council to apply for a separate licence.
L7188/1997/9	15/08/2014	DER initiated amendment to change the condition relating to fencing of the landfill in as per the new licence format.
L8888/2015/1	24/05/2015	New licence for the facility due to the late payment of fees and Licence L7188/1997/9 ceasing to have effect
L8888/2015/1	21/04/2016	Licence amendment to remove Category 64 and associated conditions to reflect current operations at the site

Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a



condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION



Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

‘Acceptance Criteria’ has the meaning defined in Landfill Definitions;

‘Act’ means the *Environmental Protection Act 1986*;

‘ACM’ means asbestos containing material and has the meaning **defined** in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

‘AHD’ means the Australian height datum;

‘annual period’ means the inclusive period from 1 January until 31 December;

‘asbestos’ means the asbestiform variety of mineral silicates belonging to the serpentine or amphibole groups of rock-forming minerals and includes actinolite, amosite, anthophyllite, chrysotile, crocidolite, tremolite and any mixture containing 2 or more of those;

‘averaging period’ means the time over which a limit is measured or a monitoring result is obtained;

‘CEO’ means Chief Executive Officer of the Department of Environment Regulation;

‘CEO’ for the purpose of correspondence means;

Chief Executive Officer
Department Administering the Environmental Protection Act 1986
Locked Bag 33
CLOISTERS SQUARE WA 6850
Email: info@der.wa.gov.au

‘Clean Fill’ has the meaning defined in Landfill Definitions;

‘controlled waste’ has the definition in *Environmental Protection (Controlled Waste) Regulations 2004*;

‘commercial and industrial waste’ has the meaning defined in Landfill Definitions;

‘construction and demolition waste’ has the meaning defined in Landfill Definitions;

‘controlled waste’ has the definition in *Environmental Protection (Controlled Waste) Regulations 2004*;

‘DER Asbestos Guidelines’ means document titled “Guidelines for managing asbestos at construction and demolition waste recycling facilities”, published by the Department of Environment and Conservation, as amended from time to time.

‘greenwaste’ means waste that originates from flora and which does not contain or has not been treated or coated with, preserving agents, biocides, fire retardants, paint, adhesives or binders;

‘hardstand’ means a surface with a permeability of 10^{-9} metres/second or less;



‘Hazardous waste’ has the meaning defined in Landfill Definitions;

‘Inert Waste Type 1’ has the meaning defined in Landfill Definitions;

‘Inert Waste Type 2’ has the meaning defined in Landfill Definitions;

‘Landfill Definitions’ means the document titled “Landfill Waste Classification and Waste Definitions 1996” published by the Chief Executive Officer of the Department of Environment as amended from time to time.

‘leachate’ means liquid released by or water that has percolated through waste and which contains some of its constituents;

‘Licence’ means this Licence numbered L8888/2015/1 and issued under the Act;

‘Licensee’ means the person or organisation named as Licensee on page 1 of the Licence;

‘Premises’ means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

‘Putrescible’ has the meaning defined in Landfill Definitions;

‘quarantined storage area or container’ means a hardstand storage area or sealed-bottom container that is separate and isolated from authorised waste disposal areas and is capable of containing all non-conforming waste and its constituents, these areas must be clearly marked and their access restricted to authorised personnel;

‘Schedule 1’ means Schedule 1 of this Licence unless otherwise stated;

‘Schedule 2’ means Schedule 2 of this Licence unless otherwise stated;

‘usual working day’ means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia; and

‘Waste Code’ means the Waste Code assigned to a type of controlled waste for purposes of waste tracking and reporting as specified in the Department of Environment Regulation “Controlled Waste Category List” (July 2014), as amended from time to time.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.2 General conditions

1.2.1 The Licensee shall
(a) ensure that water that has come into contact with waste is diverted into a sump on the premises or otherwise retained on the Premises; and
(b) ensure that stormwater drains on the Premises are kept clear to allow for drainage.

1.3 Premises operation

1.3.1 The Licensee shall only accept waste on to the Premises if:
(a) it is of a type listed in Table 1.3.1; and
(b) the quantity accepted is below any quantity limit listed in Table 1.3.1; and
(c) it meets any specification listed in Table 1.3.1.

Table 1.3.1: Waste acceptance



Waste type	Waste Code	Quantity limit	Specification ¹
Hazardous Waste	D221, J100, J120, J130, J160, J170, N100, N160,	Combined total limit of 5 000 tonnes per annual period	Waste oil, light globes and vehicle batteries only
Inert Waste Type 1 (excluding Special Waste Type 1)	N/A		Limited to metals, glass and concrete waste only. Waste containing visible asbestos or ACM shall not be accepted.
Inert Waste Type 2	N/A		Limited to plastic and tyres only
Putrescible waste	N/A		None Specified

1.3.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.3.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.

1.3.3 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the process(es) set out in Table 1.3.2 and in accordance with any process limits described in that Table.

Table 1.3.2: Waste processing		
Waste type	Process	Process limits
Hazardous waste	Receipt, handling and storage prior to removal off site	<ul style="list-style-type: none"> Waste oil is to be stored in the double lined purpose built oil receptacle. Vehicle batteries stored in designated impervious containers. Light globes to be stored in allocated bins. Gas bottles to be stored in designated cages.
Inert Waste Type 1		<ul style="list-style-type: none"> No Construction and Demolition Waste to be crushed. No Commercial and Industrial Waste to be accepted, stored, handled or crushed. Glass to be stored in allocated skip bin. Aluminium cans to be stored in designated skip bin.
Inert Waste Type 2		<ul style="list-style-type: none"> Less than 100 tyres to be stored at any time.
Putrescible waste		<ul style="list-style-type: none"> General putrescible waste (excluding greenwaste) shall be stored in designated skip bins. General putrescible waste (excluding greenwaste) shall not remain onsite for more than 72 hours. Greenwaste shall be stored in a designated skip bin. Greenwaste shall not be burnt onsite.

1.3.4 The Licensee shall implement the following security measures at the site:

- erect and maintain suitable fencing to prevent unauthorised access to the site; and
- ensure that any entrance gates to the premises are securely locked when the premises are unattended; and
- undertake regular inspections of all security measures and repair damage as soon as practicable;

1.3.5 The Licensee shall install and maintain a sign at the entrance to the Premises which clearly displays the following information;

- hours of operation;
- contact telephone number;
- asbestos or ACM is not accepted
- warning indicating penalties for people lighting fires; and
- list of materials accepted for recycling and the location of where they can be deposited on the premises.



- 1.3.6 The Licensee shall implement control measures to prevent infestations of pests, flies and vermin at the Premises.
- 1.3.7 The Licensee shall take all reasonable and practical measures to ensure that no windblown waste escapes from the Premises and that windblown waste is collected on at least a weekly basis and appropriately contained.
- 1.3.8 The Licensee shall ensure that no waste is burnt on the premises.

2 Monitoring

2.1 General monitoring

- 2.1.1 The licensee shall ensure that:
- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1; and
 - (b) all groundwater sampling is conducted in accordance with AS/NZS 5667.11;
- 2.1.2 The Licensee shall ensure that six monthly monitoring is undertaken at least 5 months apart;
- 2.1.3 The Licensee shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer's specifications
- 2.1.4 The Licensee shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods.

2.2 Monitoring of inputs and outputs

- 2.2.1 The Licensee shall undertake the monitoring in Table 2.2.1 according to the specifications in that table.

Table 2.2.1: Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Clean Fill, Inert Waste Type 1, Inert Waste Type 2, Putrescibles waste	Tonnes (or m3 where no weigh is present)	N/A	Each load arriving at the Premises
Waste Outputs	Waste type as defined in the Landfill Definitions			Each load leaving or rejected from the Premises

2.3 Ambient environmental quality monitoring

- 2.3.1 The Licensee shall undertake the monitoring in Table 2.2.3 according to the specifications in that table.

Table 2.3.1: Monitoring of ambient groundwater quality				
Monitoring point reference and location	Parameter	Units	Averaging period	Frequency
MB1 – MB3	Standing water level	m(AHD)	Spot sample	Six monthly
	pH	pH units		
	Electrical conductivity	µS/cm		
	Total Nitrogen	mg/L		
	Ammonia-nitrogen			
	Nitrate-nitrogen			



	Total phosphorus			
	Total Dissolved Solids			
	Total Suspended Solids			
	Biochemical Oxygen Demand			
	Potassium			
	Total Recoverable Hydrocarbons			
	Chloride			
	Arsenic			
	Cadmium			
	Chromium			
	Copper			
	Lead			
	Manganese			
	Nickel			
	Zinc			

3 Improvements

3.1 Improvement program

3.1.1 The Licensee shall complete the improvements in Table 3.1.1 by the date of completion in Table 3.1.1.

3.1.2 The Licensee, for improvements not specifically requiring a written submission, shall write to the CEO stating whether and how the Licensee is compliant with the improvement within one week of the completion date specified in Table 3.1.1.

Table 3.1.1: Improvement program

Improvement reference	Improvement	Date of completion
IR1	<p>The Licensee shall prepare and submit to the CEO an Asbestos Management Plan (AMP). The AMP shall be consistent with DER's Asbestos Guidelines and include, but not limited to:</p> <ul style="list-style-type: none"> Standard operational procedures (SOP's) for the pre-acceptance and acceptance of waste and how any asbestos detected on site will be managed; Identification of each person's roles and responsibilities under the AMP; and Procedures for detailing incidents or emergencies associated with asbestos. 	28/10/2016



4 Information

4.1 Records

4.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 4.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.

4.1.2 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.

4.1.3 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

4.2 Reporting

4.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 90 calendar days after the end of the annual period. The report shall contain the information listed in Table 3.2.1 in the format or form specified in that table.

Table 3.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form ¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 2.2.1	Summary of inputs and outputs	None specified
2.3.1	Ambient groundwater monitoring	
4.1.2	Compliance	Annual Audit Compliance Report (AACR)
4.1.3	Complaints summary	None specified

Note 1: Forms are in Schedule 2

4.2.2 The Licensee shall submit the information in Table 3.2.2 to the CEO according to the specifications in that table.

Table 4.2.2: Non-annual reporting requirements				
Condition or table (if relevant)	Parameter	Reporting period	Reporting date (after end of the reporting period)	Format or form ¹
-	Copies of original monitoring reports submitted to the Licensee by third parties	Not Applicable	Within 14 days of the CEO's request	As received by the Licensee from third parties

Note 1: Forms are in Schedule 2



4.3 Notification

- 4.3.1 The Licensee shall ensure that the parameters listed in Table 3.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 4.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement ¹	Format or form ¹
1.3.1	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next usual working day. Part B: As soon as practicable	N1
2.1.4	Calibration report	As soon as practicable.	None specified

Note 1: Forms are in Schedule 2



Schedule 1: Maps

Premises map

The Premises is shown in the map below. The red line depicts the Premises boundary.

Functional locations



A	Transfer Station Office	115.788117	-33.420685
C	DrumMuster Point	115.788417	-33.420597
E	White Goods	115.788620	-33.421151
G	Cardboard / Paper	115.787824	-33.421036
I	Waste Deposit Ramp	115.787663	-33.421098

B	Waste Oil Receptacle	115.787564	-33.420965
D	White Goods – Gas	115.788754	-33.420757
F	Scrap Metal	115.788405	-33.421308
H	Globes/Batteries	115.787557	-33.421003



Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name: Trading as:	ABN:
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes ☐ Please proceed to Section C

No ☐ Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



SECTION B

DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each Licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: _____

NAME:
(printed) _____

POSITION: _____

DATE: ____/____/____

SEAL (if signing under seal)

SIGNATURE: _____

NAME:
(printed) _____

POSITION: _____

DATE: ____/____/____



Licence: L8888/2015/1
Form: N1

Licensee: Shire of Dardanup
Date of breach:

Notification of detection of the breach of a limit.

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	



Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Shire of Dardanup	
Date	



Decision Document

Environmental Protection Act 1986, Part V

Proponent: Shire of Dardanup

Licence: L8888/2015/1

Registered office: 1 Council Drive
EATON WA 6232

Premises address: Shire of Dardanup Transfer Station
Lot 81 Banksia Road
CROOKED BROOK WA 6232
Being part of Lot 82 on Plan 403943 and bound by the coordinates:

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Issue date: Thursday, 21 May 2015

Commencement date: Monday, 25 May 2015

Expiry date: Tuesday, 24 May 2030

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue an amended Licence. DER considers that in reaching this decision, it has taken into account all relevant considerations and legal requirements and that the Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by:

Chris Slavin
Licensing Officer

Decision Document authorised by:

Caron Goodbourn
Delegated Officer



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1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.



2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/> New Licence <input type="checkbox"/> Licence amendment <input checked="" type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	62	5,000 tonnes per annual period
Application verified	Date: N/A	
Application fee paid	Date: N/A	
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome	N/A	
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises within an Environmental Protection Policy (EPP) Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Is the Premises subject to any EPP requirements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		



3 Executive summary of proposal and assessment

The Shire of Dardanup (the Shire) operates the Dardanup Waste Transfer Station (WTS) under Licence L8888/2015/1. The WTS accepts mainly domestic house hold wastes, such as general putrescible waste (greenwaste food scraps), white goods, hazardous waste such as car batteries, gas bottles DrumMuster products and waste oil and inert wastes such as glass, aluminium cans, and scrap metal. The WTS does not accept biomedical waste, asbestos containing material, contaminated waste, animal carcasses or commercial and industrial waste. Wastes not accepted at WTS are referred to Cleanaway Waste Management's (Cleanaway) Class III landfill site adjacent to the WTS.

The construction and operation of the transfer station was not formally assessed through a Works Approval or Licence amendment application.

All putrescible waste is relocated to Cleanaway's Class landfill III site for disposal. Greenwaste is processed through the Bunbury Harvey Regional Council Organic Processing Facility. Waste Oil is removed offsite by Wren Oil as part of a state wide used oil collection program. Used oil containers are also separated from the general waste stream and collected for separate processing. Scrap metal and aluminium are collected by a private metal merchant for processing. Cat battery's, light globes and other household items are logged in on arrival and stored in purpose built containers. The WTS operates from 08:30 – 16:00 on Monday, Wednesday, Friday, Saturday and Sunday. The site is closed on Tuesdays and Thursdays.

The Shire had operated the site under Licence L7188/1997/9 since 1999, which was licensed as a Category 64: Class II or III putrescible landfill only. The Shire of Dardanup acquired Lot 1 Banksia Road, Dardanup in 1994. The land was acquired for the specific purpose of establishing a waste landfill site to meet the waste needs of the community. In 1998, the first landfill cell was constructed within naturally low permeable sandy clays and clayey sands. However as sandy layers were encountered additional clay lining was required. The Dardanup putrescible landfill was the first landfill in the region at the time to have a dedicated clay lining and underdrainage system to a leachate pond. Surface drainage from upslope areas was diverted around the landfill by a diversion drain. The cells were active for over six years between January 1999 and November 2006.

Since November 2006, the Dardanup putrescible landfill site has ceased to operate as a landfill site. The Shire has instead operated a transfer facility only.

This Licence amendment has been initiated by the Shire to remove Category 64 from the Licence and all associated conditions, and to formally assess the premises as a Category 62: solid waste depot only. The main potential emissions from the premises are odour from the acceptance and storage of putrescible waste and potentially asbestos contaminated waste through the acceptance of Construction and Demolition (C&D) waste. Other potential emissions are emissions to land from accidental spills and discharges of waste oil and battery acids.



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
General conditions	L1.2.1	<p><u>Emission Description</u> <i>Emission:</i> Stormwater contaminated with sediment and residue from storage of putrescible waste and potential contamination with hazardous liquid waste such as used oil and battery acid. <i>Impact:</i> Contamination of surrounding land and surface water drainage systems. Potential impacts on ecology of surface water from the addition of nutrients, hydrocarbons and heavy metals. <i>Controls:</i> Cut-off drain sales are located throughout the site to ensure stormwater does not become contaminated with waste stored onsite. There is also a wedge pit area near the greenwaste storage area which acts as a sump for any stormwater that is potentially contaminated. Putrescible waste is stored in industrial skip bins. Used oil is stored in a double bunded holding tank. Vehicle batteries are stored in designated impervious pallets.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u> Condition 1.2.1(a) has been added to the Licence, which replaces condition 17 on the previous Licence which requires the Shire to divert contaminated stormwater to a sump. Condition 1.2.1 (b) has been added to the Licence which replaces condition 16</p>	<p>General provisions of the <i>Environmental Protection Act 1986</i></p> <p><i>Environmental Protection (Unauthorised Discharges) Regulations, 2004</i></p> <p>Application supporting documentation</p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>of the previous licence requires the Shire to ensure that stormwater drains are kept clear for their integrity and functionality.</p> <p><u>Residual Risk</u> <i>Consequence</i>: Insignificant <i>Likelihood</i>: Unlikely <i>Risk Rating</i>: Low</p>	
Premises operation	L1.3.2 L1.3.4 - L1.3.9	<p>Licence condition 1.3.2 has been added to the Licence to ensure that non confirming waste is stored appropriately and removed to an appropriately authorised facility as soon as practicable.</p> <p>Licence condition 1.3.4 has been added to the Licence, which replaces part of condition 5 of the previous Licence to ensure that the Shire maintain suitable security measures at the premises to restrict unauthorised access.</p> <p>Licence condition 1.3.5 has been added to the site which replaces condition 8 of the previous Licence to ensure the WTS contains contact information for the general public and outlines the waste types are accepted at the WTS.</p> <p>Licence condition 1.3.6 has been added to the Licence to ensure measures in place to prevent the infestation of pests and vermin at the premises.</p> <p>Licence condition 1.3.7 has been added to the Licence, which replaces condition part of conditions 6 & 7 of the previous Licence, which requires the Shire to ensure measures are in place to prevent windblown waste escapes from the WTS and that windblown waste is collected on a weekly basis at the WTS.</p> <p>Condition 1.3.8 has been added to the Licence, which replaces condition 10 of the previous Licence to ensure no waste is burnt at the WTS</p>	N/A



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Fugitive emissions	L 1.3.1, L1.3.3 L4.1.1 – L4.1.2	<p><u>Emission Description</u> <i>Emission:</i> Dust from static sources such as roadways or via vehicle or machinery movements on the Premises and asbestos dust from the acceptance of C&D waste. There is a potential that asbestos waste may be inadvertently accepted within loads of C&D waste. <i>Impact:</i> Asbestos fibres can have severe health impacts including asbestosis and mesothelioma. Reduced local air quality. The nearest residential receptor is 1km away. Cleanaway's landfill facility is located immediately south of the premises. <i>Controls:</i> The WTS does not accept Asbestos Containing Materials (ACM). All ACM are redirected to the Cleanaway landfill facility.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Rare <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u> Licence condition 1.3.1 has been added to the Licence to ensure the Shire only accepts waste as specified in the condition and combines, is less than 5,000 tonnes per year and outlines that no ACM shall be accepted.</p> <p>Licence condition 1.3.3 has been added to the Licence, which replaces part of condition 3 of the previous Licence to ensure waste is stored and processed as specified in the condition to reduce the risks to public health and environmental harm. This condition outlines that C&D waste may not be crushed</p> <p>An improvement condition has been added to the Licence for the Shire to develop, and operate in accordance with, an Asbestos Management Plan (AMP). An AMP is required by all licensees who operate a Category 62; solid waste depot, which accepts</p>	<p>Guidelines for managing asbestos at construction and demolition waste recycling facilities, Department of Environment Conservation</p> <p>S.49 of the <i>Environmental Protection Act 1986</i></p>



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>C&D waste, as asbestos containing materials (ACM) may be present in this waste stream. The AMP is to be written in accordance with DER's asbestos guidelines. The AMP will assist with reducing potential ACM at the WTS.</p> <p>The previous Licence contained conditions relating to fugitive emissions (condition 13 and 14) Reference to fugitive dust conditions from construction works has been omitted in accordance with Departmental reform as published on DER's website under "Administrative changes implemented within the Department of Environment Regulation" www.der.wa.gov.au. Dust emissions can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i> therefore no conditions for fugitive dust conditions have been included on this licence.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Moderate <i>Likelihood:</i> Rare <i>Risk Rating:</i> Low</p>	
Odour		<p><u>Emission Description</u> <i>Emission:</i> Odour generated from storage and handling of putrescible wastes. <i>Impact:</i> Reduced local air quality. Amenity nuisance for person's offsite. The nearest residential receptor is 1km away. <i>Controls:</i> Putrescible waste bins are regularly collected and emptied by Cleanaway at least once every two days or sooner if requested by Shire employees.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Insignificant <i>Likelihood:</i> Unlikely <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u></p>	S.49 of the Environmental Protection Act 1986



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p>The previous Licence contained a condition relating to odour. Reference to fugitive odour conditions has been omitted in accordance with Departmental reform as published on DER's website under "<i>Administrative changes implemented within the Department of Environment Regulation</i>" www.der.wa.gov.au. Odour emissions can be sufficiently regulated under section 49 of the <i>Environmental Protection Act 1986</i> therefore no conditions for fugitive duct conditions have been included on this licence.</p> <p><u>Residual Risk</u> <i>Consequence</i>: Insignificant <i>Likelihood</i>: Rare <i>Risk Rating</i>: Low</p>	
General Monitoring	L2.1.1 – L2.1.4	<p>Condition 2.1.1 has been added to the Licence, which replaces condition part of 21 and all of condition 24 to ensure the Shire collects groundwater samples in line with the relevant Australian Standards.</p> <p>Condition 2.1.2 has been added to the Licence, which replaces part of condition 22 to ensure the Shire conducts bi-annual monitoring at least 5 months apart.</p> <p>Condition 2.1.3 has been added to the Licence to ensure all monitoring equipment used at the WTS complies with the conditions of the licence and calibrated in accordance with the manufacturer's specifications.</p> <p>Condition 2.1.4 has been added to the Licence to ensure the Shire notifies DER if there is a discrepancy with calibration of monitoring equipment used at the premises</p>	N/A
Monitoring of inputs and outputs	L2.2.1	<p>Condition 2.2.1 has been added to the Licence to ensure the Shire accurately monitors the tonnages of wastes coming into the premises and waste leaving the premises.</p>	N/A



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Ambient Environmental Quality Monitoring	L2.3.1	<p>Condition 2.3.1 has been added to the Licence, which replaces part of previous condition 22 for the Shire to conduct six monthly groundwater monitoring at the location of where the previous landfill cells were active. In 1999, groundwater seepage into the active cell was identified during an inspection. This was considered to have been caused by sub-surface water flow creating a head on the liner that compromised its integrity and highlighted a possible connectivity to the groundwater table. A cut-off drain was installed immediately up-hydraulic gradient of the cell to determine whether it was due to sub-surface water flow or groundwater. The cause was never determined; however leakage into the cell appeared to have later ceased.</p> <p>Groundwater monitoring results in 2001 and 2002 identified low pH and elevated nitrate levels in bores located downslope of the landfill, compared to those located upslope. This suggested leachate entering the groundwater from the landfill. At the time, DER requested the Shire investigate the integrity of the cell liner, with particular attention to the integration with the leachate collection system. An inspection in 2003 raised concerns over the small volume of leachate in the leachate collection dam, which suggested leakage from the system. The Shire were advised to monitor and track the water analysis trends from the groundwater bores located down hydraulic gradient from the landfill. Groundwater monitoring results in 2011 showed low pH and levels.</p> <p>The site is located in a known groundwater recharge area for the Leederville formation, which serves as a domestic water supply for the Dardanup area.</p> <p>The subsurface conditions comprise inter-layered sands, sandy clays and clayey sands. The soils at the base level have low permeability; however there is the occasional presence of more permeable sandy lenses. This was encountered during construction of the first stage in 1998, where suitable clay material was not found within the excavated material. The Shire was subsequently instructed to clay line the cell to meet a permeability index of 1×10^{-9} m/s. Surface flow from areas upslope of the landfill needed to be controlled by the provision of a surface drain to collect and divert it away</p>	



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		from the cells. Following seepage into the active cell in 1999, a cut-off drain was constructed immediately up-gradient from the cell; however this has been progressively back-filled with inert waste and is now no longer functional.	
Information	L4.1.1 – L4.1.3 L4.2.1 L4.3.1	<p>Condition 4.1.2 has been added to the Licence, which replaces condition 29 of the previous Licence for the Shire to submit an Annual Audit Compliance Report (AACR) outlining compliance with the conditions of the licence for the annual period.</p> <p>Condition 4.1.3 has been added to the Licence to ensure the Shire maintains a complaint register.</p> <p>Condition 4.2.1 has been added to the Licence, which replaces part of condition 27 that requires the Shire of provide an Annual Environmental Report.</p> <p>Condition 4.3.1 has been added to the Licence to ensure the Shire notifies DER when there is breach of a limit in the Licence and to submit calibration reports, when required.</p>	N/A
Licence Duration	N/A	The Licence was issued on 24 May 2015 for a period of 1 year. In accordance with DER's new Guidance Statement: <i>Licence Duration</i> DER will amend the expiry date of the Licence to 24 May 2030. DER has considered the environmental risk of the premises, including current activities.	Guidance Statement: <i>Licence Duration</i>



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
11/04/2016	Proponent sent a copy of draft instrument	Signed waiver form received on 18 April 2016 requesting the Licence be amended as soon as possible	N/A



6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High



Appendix A

Premises History and Background

A study commissioned in 1988 by the South West Development Authority (Binnie & Partners, 1989) into the long-term disposal strategy for the Preston Statistical Division recommended the Shire, along with the Shires of Harvey, Capel and the City of Bunbury, form a regional council to formulate a waste strategy plan for the region. The current site at Stanley Road, Wellesley was recommended as the regional site for domestic waste (as it had recently been approved for gazettal as a refuse site in December 1988).

Further recommendations of the study indicated the preferred site for the disposal of regional industrial waste was in the scarp foothills to the south-east of Dardanup. The strategy for the Shire was therefore to consider joining the regional council at Stanley Road, or develop its own regional domestic waste facility at the yet-to-be identified industrial waste site, to reduce duplication of facilities.

The Shire later considered the conditions of entry into the regional council too restrictive and expensive, and commenced investigations into constructing its own facility. The City of Bunbury and Shire of Harvey would go on to form the Bunbury Harvey Regional Council in 1990, and established the current regional facility for domestic waste at Stanley Road.

Investigations into potential sites in the scarp foothills were undertaken over the following years, culminating in the 1992 proposal to establish a new landfill at Lot 1 on Diagram 65861 (formerly Lot 1, Wellington Location 3003) Banksia Road which, is now the Shire's WTS premises. The site was privately owned and preliminary investigations identified extensive areas of clay-rich sediments of low permeability (5.9×10^{-10} m/s), indicating its suitability as a refuse disposal facility. A major complicating factor though, was the presence of mineral sands deposits running across the site in a north-south direction.

The initial proposal and management plan was for excavated (*in situ* clay-lined) cells with an internal gravity-fed leachate collection system. This was the first of its kind at the time in the South West region. The proposal mainly focused on management; no information on cell design and specifications was provided; however later reports indicated the plan was for a series of relatively narrow parallel trenches, using cut-and-cover techniques. The site was formally gazetted as a refuse disposal site by the Health Department on 15 December 1992.

Following the commencement of licensing landfills under the EP Act in 1997 the Shire, as with all other Shires, were requested to apply for a licence for all landfill sites that had previously been approved by the Health Department. In September 1997, the Shire submitted an application, along with the original management plan from 1992. Draft licence conditions were prepared; however the licence was not issued as the Shire had not yet constructed the facility, and had entered into discussions with a local waste contractor into the potential for establishing a regional facility.

In early 1998 the Shire, who at the time was rapidly running out of landfill space commenced their own investigations into the geotechnical suitability of Lot 1 for the disposal of a higher category of waste (Golder and Associates, 1998). The Shire later resolved to operate a class II facility.

Development and early licensing

Previously in February 1998, it was determined by then Department of Environmental Protection that given Lot 1 had earlier been assessed and gazetted as a refuse disposal site, works approval would not be required for construction of the new facility under the EP Act. The Shire however, was requested to submit a compliance document upon completion of works, certifying construction in accordance with the 1992 plans.



Construction officially commenced in August 1998 and works were completed in early January 1999. Following the submission of the compliance document, draft licence conditions were sent to the Shire, advising a licence is required prior to disposal commencing.

An inspection on 2 March 1999 in response to public concerns identified the Shire commenced disposing waste at the premises several weeks prior. Several concerns were raised; one being that disposal had commenced prior to the licence being issued, along with concerns over construction of the cell liner, groundwater inflow and *ad hoc* management of waste. The Shire advised it commenced disposal due to extreme circumstances. L7188/1997/1 was issued on 29 March 1999. The site was officially opened by the then Minister for Environment in May 2000.

Construction of Cell 2

The Shire commenced construction of the second cell at the premises in late 2004. The bund wall was formed with clay sourced from development sites around the Eaton townsite. This time, the cell was constructed with a synthetic liner (Bentofix) and was completed by the end of 2004. It was noted at the time that construction was not verified by an engineer, given the use of a composite liner.

An inspection in late 2005 identified a large volume of leachate pooling in the active cell, and as such, was causing access issues to the cell for the landfill loader. In addition, leachate was expressing itself at the front end of the cell, indicating the collection system was not functioning properly.

In 2006 the Shire ceased all landfilling activities at Lot 1, diverting all waste to the now Cleanaway landfill at Lot 2. Category 64 was kept on the licence to allow the Shire time to rectify the issues with the cell wall and leachate collection system, although DER never received any formal detailed information on the completed works. The premises has operated predominately as a transfer station for municipal waste generated from the Dardanup area since the Shire's decision to cease landfilling in 2006.